

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 23-cr-113 (PJS/TNL)

Plaintiff,

v.

ORDER

Cortez Hollis,

Defendant.

This matter comes before the Court on Defendant Cortez Hollis's Unopposed Motion for a Continuance of Motion Hearing. ECF No. 32. Defendant also filed a Statement of Facts in support of his motion. ECF No. 32-1.

Defendant requests a continuance of the April 18, 2024 motion hearing to the week of May 13, 2024 (excluding May 15, 2024). ECF No. 32 at 1. Defendant requests this continuance for two reasons. Defense counsel has an eight-day trial in another matter commencing on April 15, 2024. *Id.* at 1. And Defense counsel also has a sentencing hearing scheduled for May 15, 2024, in another matter. *Id.* at 2. The Government does not oppose this request. *Id.* In his Statement of Facts, Defendant requests that from January 25, 2024 to June 30, 2024 be excluded from computation under the Speedy Trial Act. ECF No. 32-1 at 2.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial, and that such continuance is necessary to provide the parties reasonable time

necessary for effective preparation and to make efficient use of the parties' resources. While Defendant requests that the period from Defendant's motion (January 25, 2024) up through June 30, 2024 be excluded from the Speedy Trial Act, Defendant is seeking an extension of the motion hearing to the week of May 13, 2024. *See* 18 U.S.C. § 3161(h)(7)(A). Accordingly, under the circumstances, the Court finds it appropriate to exclude time up to the new motions filing deadline, namely, April 22, 2024. Therefore, Defendant's motion is granted in part and denied in part.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Unopposed Motion for a Continuance of Motion Hearing, ECF No. 32, is **GRANTED IN PART** and **DENIED IN PART**.

2. The period of time from now through April 22, 2024, shall be excluded from Speedy Trial Act computations in this case.

3. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **April 22, 2024**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

4. Counsel shall electronically file a letter on or before **April 22, 2024**, if no motions will be filed and there is no need for a hearing.

5. All responses to motions shall be filed by **May 6, 2024**. D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses shall be filed by **May 6, 2024**. D.

Minn. LR 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses shall be filed by **May 9, 2024**. D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- b. The Government makes timely disclosures, and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **May 13, 2024**, at **10:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

10. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:**
the following trial and trial-related dates are:

Trial briefs, voir dire questions, proposed jury instructions, and trial-related motions (including motions in limine) must be submitted to Chief Judge Schiltz's chambers on or before ***a date to be determined***. Responses to trial-related motions (including motions in limine) must be submitted on or before ***a date to be determined***.

The parties must disclose the identity of any expert witness and make all required expert disclosures on or before ***a date to be determined***. The parties must disclose

the identity of any expert who will testify in rebuttal of an expert witness and make all required disclosures as to such expert on or before *a date to be determined*.

A pretrial conference will be held on *a date to be determined* in Courtroom 15, Minneapolis, before Chief Judge Patrick J. Schiltz. The government must submit its lists of prospective witnesses and prospective exhibits at this conference.

This case is scheduled for trial before Chief Judge Patrick J. Schiltz on *a date to be determined*, in **Courtroom 15**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota.

b. IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for Chief Judge Schiltz to confirm the new trial date.

Dated: January 31, 2024

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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